

**BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE  
APPEAL No. 48 of 2016**

**IN THE MATTER OF:**

MRS. LINET NUNES ...APPELLANT

VERSUS

GOA COASTAL ZONE MANAGEMENT  
AUTHORITY & OTHERS

...RESPONDENTS

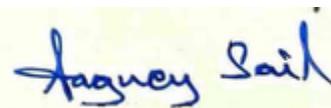
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NEXT DATE: 17.10.2023

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RESPONDENT NO. 7

THROUGH



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Filed on: 17.10.2023

Place: Goa

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**REPLY OF RESPONDENT NO. 7 TO APPEAL****MOST RESPECTFULLY SHOWETH:**

1. That the present Appeal is pending adjudication before this Hon'ble Tribunal. The present Reply is being filed by Respondent No. 7 ('answering respondent' for short) to oppose the reliefs sought by the Appellant in the above-mentioned Appeal. Nothing in the present reply may be treated to be an admission of the contents of the Appeal, unless the same is expressly and categorically admitted herein.
2. That before adverting to the para-wise reply of the Appeal it is necessary to bring the relevant facts in a tabular form (which Appellant has not filed) to assist this Hon'ble Tribunal in fair and just adjudication of the present Appeal. The list of relevant dates is given below:

**LIST OF RELEVANT DATES**

<b>S. No.</b>	<b>DATE</b>	<b>DESCRIPTION</b>
1.	17.08.15	Complaint to GCZMA by Kashinath Shetye & Ors. about illegal construction of restaurant and night club "Curlies" carried out by Edwin Nunes in Sy. No. 42/10, 42/9 & 42/11 of Village Anjuna, Bardez - Goa. (Refer Annexure B - Pg. 79 - 92)
2.	26.08.15	Complaint to GCZMA by Sagardeep Sirsaikar about illegal construction of a hotel in Sy. No. 42/10 at Sorantowado, Anjuna, Bardez - Goa carried out by Linet Nunes. (Refer last para of Pg. 33)
3.	31.08.15	GCZMA issued show cause notice cum stop work order to Edwin Nunes on complaint of K. Shetye. (Refer - Annexure C - Pg. 93-96)
4.	31.08.15	GCZMA issued letter to Secretary, Village Panchayat of Anjuna for necessary action in this matter. (Refer para 2 from top Pg. 33)
5.	01.10.15	GCZMA issued show cause notice cum stop work order to Linet Nunes on complaint of K. Shetye. (Refer para 1 from top of Pg. 34)
6.	23.11.15	Goa State Pollution Control Board after inspection issued directions U/s 33(A) of the Water Act, 1974 and U/s 31(A) of the Air Act, 1981 wherein it was found, inter alia, that the restaurant is, <ul style="list-style-type: none"> <li>- Having seating capacity of 590 and 20 beds.</li> <li>- Not having Consent to Operate.</li> </ul>

		<ul style="list-style-type: none"> <li>- Sewage Treatment Plant is not operating.</li> <li>- 35 KVA DG Set is not having additional stack height.</li> <li>- Mr. Edwin Nunes (Owner) of the unit is also operating a Guest House namely M/s Curlis Guest House located at Sy. No. 45/41 and House No. 774/1 located at distance of approx.. 300 mtrs. From the Curlis Restaurant.</li> </ul> <p>(Refer to Exhibit PR-2 at Pg. 136 - 142)</p>
7.	01.12.15	Reply dated 03.11.15 given by Linet Nunes is received by GCZMA. (Refer Annexure D - Pg. 97 - 99)
8.	21.12.15	GCZMA issued letter to complainants Sagardeep Sirsaikar & Kashinath Shetye to file their comments to reply dated 03.11.15 filed by Linet Nunes. (Refer para 2 from top of pg. 34)
9.	29.12.15	Complainant Sagardeep Sirsaikar filed comments to reply of Linet Nunes. (Refer Pg. 42 - 43)
10.	13.01.16	GCZMA forwarded said matter to the Inquiry Committee of GCZMA for necessary inquiry and report. (Refer para 4 from top of Pg. 34)
11.	03.02.16	Report of Dy. Collector & SDO Mapusa Sub-Division, is received by GCZMA which states that area of old house constructed prior to 1982 is 242.00 sq. m. and the existing structure's area is 242.00 sq. m. (Refer Pg. 44 - 45)
12.	10.03.16	Inquiry Committee of GCZMA in its report stated that the structure of the Restaurant Curlies having an area of 242 Sq. mts. in Sy. No.

		42/10 and 42/11 of Village Anjuna was existing prior to the date of CRZ Notification 19.02.91 and hence GCZMA to withdraw show cause notice cum stop work notices. (Refer Pg. 46 - 50)
13.	18.03.16	This Hon'ble Tribunal disposed of O.A. No. 06/2016 filed by Kashinath Shetye & Ors. challenging alleged illegal construction in Sy. No. 42/10, 42/9, 45/19 and 45/41 of Village Anjuna, Bardez - Goa with a direction to GCZMA to hear the concerned parties with an opportunity to produce supporting documents. (Refer Annexure G - Pg. 106-107).
14.	21.06.16	GCZMA issued notice of hearing to concerned parties to remain present for personal hearing on 01.07.16. (Refer Annexure H - 108-100).
15.	01.07.16	Hearing at GCZMA did not take place due to paucity of time and the parties present were directed to remain present for the next meeting on 06.07.16.
16.	06.07.16	GCZMA heard both parties at length and decided to conduct re-inspection of the site through its Expert Members in order to ascertain all the aspects/angles on site and also to verify documents available in Office and decide accordingly in the next meeting. (Refer Annexure R-6 - Pg. 371-372).
17.	12.07.16	GCZMA issued notice of site inspection to be conducted on 15.07.16. (Refer Annexure I - Pg. 111-112).

18.	15.07.16	<p>GCZMA conducted site inspection by its Expert Members. Neither Mr. Edwin Nunes nor Mrs. Linet Nunes were present. GCZMA submitted its site-inspection report which found, inter alia, gross violations of CRZ Notification, 2011 like:</p> <ul style="list-style-type: none"> <li>- Ground plus 1 floor permanent structure with a cemented plinth, wooden floor, steel pipes supporting top floor.</li> <li>- Permanent structure located right at/along the High Tide Line (HTL).</li> <li>- HTL is marked by a massive cement concrete retaining wall built in three steps.</li> <li>- Severe erosion observed along the wall due to waves.</li> <li>- Commercial activities in No Development Zone (NDZ).</li> </ul> <p>(Refer Annexure R-7 - Pg. 373)</p>
19.	20.07.16	<p>Site inspection report dated 15.07.16 was discussed in GCZMA 133rd meeting wherein Expert Members who conducted site inspection discussed and deliberated on the case and after considering the documents / evidence on record decided to pass demolition orders. True and correct copy of the relevant extracts of the 133<sup>rd</sup> GCZMA meeting is <b>ANNEXURE - R7/1</b>.</p>
20.	21.07.16	<p>GCZMA passed impugned order to close commercial activity in the said site and to demolish the G+1 permanent structure standing in Sy. Nos. 42/10 extending to 42/9, 11, 45/19, 45/41 of Village Anjuna.</p>
21.	30.07.16	<p>Appellant filed W.P. No. 737/2016 before High Court of Bombay at Goa challenging impugned</p>

		order dated 21.07.16. (Refer para 4.XXVI of present Appeal).
22.	03.08.16	Appellant withdrew W.P. No. 737/2016 with liberty to file Appeal before this Hon'ble Tribunal. (Refer para 4.XXVI of present Appeal).
23.	06.09.22	This Hon'ble Tribunal finding no merit in the Appeal No. 48/2016 filed by Appellant dismissed the same.
24.	09.09.22	Hon'ble Supreme Court of India in Civil Appeal Diary No. 28426/2022 issued notice and granted interim stay on demolition on structures standing on Sy. No. 42/10 subject to Appellant not undertaking any commercial activity.
25.	20.01.23	Hon'ble Supreme Court of India set aside the order dated 06.09.22 and restored the present Appeal to be decided afresh by this Hon'ble Tribunal pending which the benefit of interim order dated 09.09.22 shall continue.  The Hon'ble Supreme Court directed that appropriate opportunity be granted to both parties and then a decision should be taken by NGT. (Refer para 5 & 6 of SC order).

**PARA-WISE REPLY:**

3. REPLY TO PARAGRAPH NO.s 1 to 4 (I to XXVI): The contents of these paragraphs are denied and in response it is submitted

that the list of relevant dates given above in paragraph no. 2 of the present reply may be taken into consideration.

4. REPLY TO GROUNDS – PARAGRAPH No. 5(a): In response to the ground of violation of principles of natural justice and in particular, the contentions that, firstly, the Appellant has not been afforded an effective hearing by GCZMA and secondly, that no hearing was given after the inspection was conducted by the expert members on 15.07.16 the following is submitted:

- 4.1 GCZMA Notice of personal hearing dated 21.06.16 was explicitly clear about the charges against the Appellant and the scheduled GCZMA hearing on 01.07.16 stating that,

“NOW THEREFORE, you are hereby required to remain present for the personal hearing or depute your duly authorized representative with all the documents and produce construction/reconstruction/repair licence / approvals, if any, issued by the concerned authorities including GCZMA if any, along with construction licence of the structure and approved plan, as also documents to show the clear title of the property and any other related documents if any with two self attested photocopies of all documents relied upon in support of legality of your structure / Restaurant /night club located in the property ...” (Refer Annexure-H, Pg. 108-110)

- 4.2 The GCZMA notice dated 21.06.2016 also supplied to the Appellant and both complainants with a copy

of the detailed reply dated 03.11.15 of Linet Nunes, comments dated 29.12.15 of Sagardeep Sirsaikar, Dy. Collector & SDO report dt. 03.02.16 and the GCZMA Inquiry Committee Report dt. 10.03.16.

4.3 The Appellant has not brought on record in present Appeal, the reply or documents, if any, filed by her in response to the GCZMA notice dated 21.06.16 despite there being a clear requirement as provided in the said notice. Hence, Appellant cannot now claim that an effective hearing was not given to her.

5. REPLY TO GROUNDS - PARAGRAPH No. 5(b): In reply it is submitted that the Inspection Report dated 15.07.16, contrary to the stand taken by Appellant, has no finding about the existence of the structure prior to 1991 and finds that the structure is permanent in nature. Hence, the Appellant cannot claim that no opportunity was given to her to counter the charge that the structures raised by her were illegal being built post 1991 and without necessary approvals from GCZMA, as the Inspection Report dated 15.07.16 was not provided to her. The charge of the illegality of the said structures was raised through the GCZMA show cause notice way back on 31.08.15 (Annexure-C, Pg. 93-94) and thereafter, more specifically during the proceedings of the GCZMA Inquiry Committee which framed the question whether the

structure of the restaurant Curlies was existing prior to the date of the CRZ notification, 19-02-1991.

Hence, the failure of the Appellant to produce any documentary evidence (despite service of notice specifically mentioning to file reply and documents) to show that the structures of the restaurant Curlies was existing prior to 19-02-1991 was duly noted by the GCZMA while passing the impugned order and now cannot be claimed to be a violation of the principles of natural justice. The Appellant knew right from the date of the first show cause notice i.e. 31.08.2015 about the charges against the structures of the restaurant Curlies and once the matter was re-opened pursuant to this Hon'ble Tribunal's order dated 18.03.2016, all issues and questions framed stood re-agitated to be decided afresh.

6. REPLY TO GROUNDS - PARAGRAPH No. 5(c): In reply it is submitted that the entire impugned order is not based on the inspection report dated 15.07.16 of the GCZMA expert members. The impugned order, discusses in detail the issue of the concerned structure existing prior to 1991, stating that,

*“AND WHEREAS, it was further discussed that the onus of proving that the structure existed prior to 1991 is on the Respondent and as it existed in NDZ area the Respondent also needs to give evidence of the existence of the commercial activity in the said structure i.e. Night club, Bar & Restaurant prior to 1991.*

*AND WHEREAS, further the Respondent is operating commercial activity in the structure and he is required to have Bar license to sell liquor, trade license of Panchayat, Commercial tax registration, Shops and Establishment licence etc. The Respondent should have*

*produced all those licenses / permissions as proof of the existence of the structure prior to 1991. However, the Respondent had not produced any evidence in support of the same.*

*AND WHEREAS, also the Respondent is operating a big Night Club, bar & Restaurant which also has electricity connection which could also have proved its existence prior to 1991. However, the Respondent did not produce any evidence in this regard.*

*AND WHEREAS, in view of non production of any evidence supporting the existence of commercial activity prior to 1991 in the said structure can safely be drawn as an adverse inference which clearly establishes that the commercial activity of Night club / Bar & Restaurant came into operation in the said structure post 1991 i.e. after coming into force of the CRZ Notification, 1991.*

*AND WHEREAS, after detailed discussion and due deliberation and upon considering the documents and evidence available on record and the site inspection report dated 15/07/2016, the Authority took the following decision: ...”*

7. REPLY TO GROUNDS – PARAGRAPH No. 5(d): In response to this ground it is submitted that the Appellant knew about the site inspection through the notice dated 12.07.16 which required her to be present for the site inspection with all the documents, site plan and other related documents. The Appellant also knew about the findings of the site inspection as her representative was duly present during the site inspection conducted and had even produced certificates from the panchayat before the expert members during site-inspection.
8. REPLY TO GROUNDS – PARAGRAPH No. 5(e): In reply to this ground it is submitted that the show cause notice dated

31.08.15 clearly mentioned the charge as the illegal construction of a restaurant and night club "Curlies" thereby clarifying the commercial use of the concerned structure. In addition, the Appellant was specifically charged with the commercial use of the said structure prior to 1991 during the proceedings of the GCZMA Enquiry Committee which clearly finds mention in the report dated 10.03.2016.

9. REPLY TO GROUNDS - PARAGRAPH No. 5(f): In response to this ground it is submitted that the Appellant has not brought on record any reply filed by her to the GCZMA notice of personal hearing dated 21.06.2016 and hence, this ground that GCZMA did not consider her reply is untenable being false. The Appellant might be referring to her reply dated nil (received by GCZMA on 01.12.2015) given to the earlier show cause notice dated 31.08.2015 (Refer Pg. 97-99). However, in absence of any statement submitted by Appellant to GCZMA that her earlier reply of 2015 be read in response to the GCZMA hearing notice dated 21.06.2016, it cannot be considered by GCZMA.
10. REPLY TO GROUNDS - PARAGRAPH No. 5(g): In reply it is submitted that the Appellant has very cleverly not disclosed in the present Appeal, the list of documents, reply, written submissions filed before GCZMA in response to the personal

hearing notice dated 21.06.2016. Hence, an adverse inference needs to be drawn and this ground deserves to be rejected and not entertained by this Hon'ble Tribunal. In the alternative, should this Hon'ble Tribunal decide to appreciate the documents relied upon by the Appellant to show that said structures existed prior to 19.02.1991, it is pertinent to mention the following:

<b>S.No.</b>	<b>Document (its date) relied by Appellant.</b>	<b>REMARKS</b>
1.	House Tax receipts (oldest receipt dt. 09.02.91 at Pg. 58)	House No. 774(2) is not located at Survey No. 42/10 but is on Sy. No. 45/19 which is 300m away.  (Refer (a) Form I & IV attached as <b>ANNEXURE - R7/2</b> , (b) Reply dt. 29.12.15 of R7 at Pg. 42-43 & (c) Sarpanch of V.P. Anjuna affidavit dt. 28.09.16 at Pg. 210).
2.	Village Panchayat Anjuna certificate dated 12.07.10 (Pg. 53-54)	--do--
3.	V.P. Anjuna Certificate dt. 05.05.1982 (Pg. 51)	FORGED: The emblem of the certificate is that of the State of Goa, whereas, Goa attained statehood on 31.05.1987. Secondly, the telephone no. 2273246 shown at the top right corner of certificate was issued to Panchayat on 01.01.1990 as per RTI query (Refer (a) para 6(f) of Sarpanch of V.P. Anjuna affidavit dt. 28.09.16 at Pg. 213, (b) RTI reply dt. 08.06.16 about telephone connection at pg. 256 & (c) complaint dt. 14.07.16 made to GCZMA by V.P. Anjuna Pg. 276.)
4.	Copy of GUT book showing structure existed prior to 1991	The original GUT book with DSLR discloses that no structure existed in the said property. (Refer para 6(h) of Sarpanch of V.P. Anjuna affidavit dt.

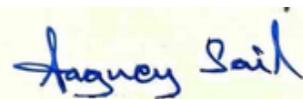
	certified by Talathi of Anjuna dt. 27.04.11	28.09.16 at Pg. 214 and Pg. 257 and refer Exhibit PR-6 at Pg. 155).  For convenience relevant extracts of the GCZMA conducted report titled - "Technical Report of the Project on Consultancy Services and to conduct survey and enquiry in CRZ III of Goa Coast 2008" is <b><u>ANNEXURE - R7/3.</u></b>
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11. REPLY TO GROUNDS - PARAGRAPH No. 5(h) to 5(l): The contention raised in this ground is vague and baseless thereby deserving no response.
  
12. REPLY TO GROUNDS - PARAGRAPH No. 5(m): In reply to this ground it is submitted that this Hon'ble Tribunal has held that Section 5 of the Environment (Protection) Act, 1986 (in exercise of which section the impugned order has been passed) vests wide powers which can be used to issued directions to any person (including demolition of structures) who shall be bound to comply with such directions.
  
13. REPLY TO GROUNDS - PARAGRAPH No. 5(n) to 5(p): These grounds are not concerning the present Appeal and need no response.

14. REPLY TO PARAs 6 to 11: The contents of these paras need no response and are denied. The Appellant be put to strict proof of the same.
15. REPLY TO PRAYERS: In light of the present reply the prayers sought by the Appellant deserve to be rejected and the present Appeal be dismissed with heavy costs (especially environmental compensation calculated using formula derived through GCZMA study titled 'Environmental Compensation for Coastal Damage through Total Ecosystem Service Values' pursuant to directions in O.A. No. 01/2019 (WZ)).

RESPONDENT No. 7

THROUGH



AAGNEY SAIL

**ADVOCATE FOR APPLICANT/RESPONDENT No. 7**

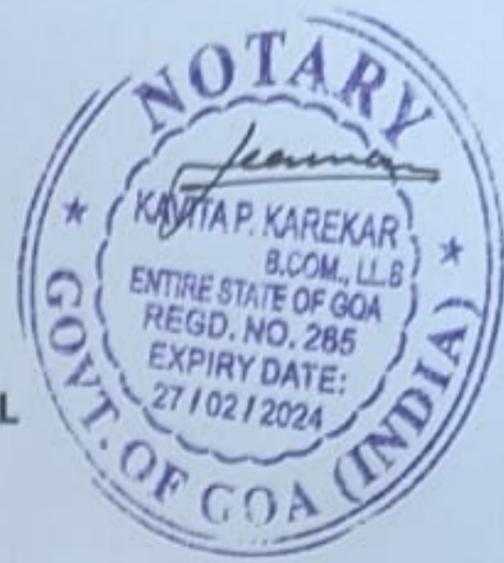
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AUTHORITY & OTHERS

...RESPONDENTS

**AFFIDAVIT**

I, Mr. Sagardeep Sirsaikar, S/o Audumber Sirsaikar, aged about 45 years, R/o H. No. 308, Welcome House, Chapora, Bardez, Goa – 403509 do hereby solemnly state and affirm that:

1. That I am the abovementioned Respondent No. 7 and I am aware of the present case and as such am competent to swear this affidavit.
2. That I have understood the accompanying Reply to Appeal which has been drafted on my instructions and its content read over and explained to me. I say that the facts stated therein are true to my knowledge, belief and legal advice.
3. That the Annexure R7/1 to R7/ of the Reply are true and correct copy of their respective originals.

**DEPONENT**

**VERIFICATION:**

Verified that the contents of paragraph 1 to 3 of my above affidavit which have been read over and explained to me in the vernacular are true to my knowledge & belief, no part of it is false and nothing material has been concealed therefrom.

Verified on 16<sup>th</sup> of October, 2023 at Mepusa

**DEPONENT**



SOLEMNLY AFFIRMED BEFORE ME  
BY Mr. Sagardheep Sisaiiker  
WHO IS IDENTIFIED BEFORE ME  
BY Acellhar card no 4630 1516-  
REG NO 5221/2023 7363  
Dated: 16/10/2023

Kavita  
KAVITA P. KAREKAR  
NOTARY FOR  
ENTIRE STATE OF GOA (INDIA)

**MINUTES OF THE 133<sup>rd</sup> MEETING OF THE GOA COASTAL ZONE MANAGEMENT AUTHORITY (GCZMA) HELD ON 20/07/2016 (WEDNESDAY) AT 3:00 P.M. IN THE CONFERENCE HALL, 2<sup>ND</sup> FLOOR, SECRETARIAT, PORVORIM – GOA.**

The 133<sup>rd</sup> meeting of the Goa Coastal Zone Management Authority (GCZMA) was held under the Chairmanship of the Secretary (Environment), on 20/07/2016 (Wednesday) at 3:00 p.m. in the Conference Hall, 2<sup>nd</sup> Floor, Secretariat, Porvorim - Goa.

The following members were present during the meeting:

1. Secretary (Environment) / Chairman(GCZMA)
2. Assistant Director, Directorate of Tourism, Government of Goa
3. Representative on behalf of Chief Engineer (Blgd.), P.W.D
4. Assistant Director, Directorate of Industries, Trade & Commerce
5. Dr. Antonio Arsenio Mascarenhas
6. Dr. Nitin Sawant
7. Shri. Ragunath Dhume
8. Member Secretary (GCZMA)

At the outset, the Chairman (GCZMA) welcomed the Members of GCZMA present for the meeting and thereafter the following agenda items were taken up for discussion and decision:

**Item No.1:** To confirm the minutes of the 131<sup>st</sup> and 132<sup>nd</sup> Meeting of the GCZMA held on 01/07/2016 and 06/07/2016 respectively.

The minutes of the 131<sup>st</sup> and 132<sup>nd</sup> Meeting of the GCZMA held on 01/07/2016 and 06/07/2016 were circulated among all the members for their comments and suggestions. The Authority confirmed the minutes of the 131<sup>st</sup> and 132<sup>nd</sup> GCZMA meeting held on 01/07/2016 and 06/07/2016 respectively.

**Item No.2:**

**Case No. 2.1:**

**To discuss and decide on the complaints dated 24/05/2013, 29/11/2014 received from Mr. Agnel Judas Fernandes and also a complaint letter dated 22/04/2016 received from Mr. Laxman Phadke with regard to alleged illegal construction / extension of house comprising**

- The property is located on the bank of Chimbel tidal creek, on the river side of the existing road; the house lies about 10-12 metres from the bank (HTL).
- The creek bank is marked by a concrete retaining wall apparently built by WRD some years ago; the need for such a thick and high concrete wall is not known; some scattered mangroves are noticed.
- The owner has obtained approvals from the erstwhile GCZMA based on which the house has been constructed. However, the area is classified by GCZMA as CRZ II whereas the CZMP 1996 for Goa has classified this area (Ribandar) as CRZ III.

Copy of the site inspection report was annexed with the Agenda Item as **Annexure 'V'**.

**In view of the above, the matter was placed before the Authority for discussion and decision in the matter.**

The Authority noted that the erstwhile GCZMA had granted approval for construction of Bungalow wherein the area classified by GCZMA is CRZ II whereas the CZMP 1996 for Goa has classified this area (Ribandar) as CRZ ó I (Incase of mangroves) and CRZ ó III (if no mangroves exists).

**Decision:** After detailed discussion and due deliberation and upon considering the site inspection report dated 15/07/2016 and also on considering the aforementioned observations wherein there are alleged discrepancies in the categorization of the CRZ areas and as such the Authority decided to grant the concerned parties an opportunity to personal hearing on the issues before the Authority in its next meeting and only then to arrive at a decision. The matter to be placed in the next meeting of the Authority.

**Case No. 2.7:**

**To Comply with the Order dated 18/03/2016 of the Hon'ble National Green Tribunal at Pune in Application No. 06/2016 filed by Mr. Kashinath Shetye V/s. Edwin Nunes & ors with regard to the alleged illegal construction carried out in the property bearing Sy. No. 42/9, 42/11 and 42/10 of Village Anjuna, Bardez – Goa.**

Brief Summary:

- Complaint received from Mr. Kashinath Shetye & Ors. with regard to alleged illegal construction of a Restaurant and night club öCurliesö in the property bearing Sy. No. 42/10 and extension of the structures up to the adjacent Sy. Nos. 42/9 and 42/11 at H. No. 774/2, St. Michael waddo of Village Anjuna, Bardez ó Goa carried out by Edwin Nunes and also, a complaint received from Mr. Sagardeep Sirsaikar with regard to the same subject matter carried out by Linet Nunes.

- Accordingly, a Show Cause Notice Cum Stop Work Order was issued to Linet Nunes which was replied to by alongwith documents in support of their case.
- The said matter was also forwarded to the Inquiry Committee of the GCZMA and Deputy Collector & SDO, Bardez for inquiry and report in the matter. The Inquiry Committee submitted its report wherein it is recommended to the GCZMA to withdraw the Show Cause Notice cum Stop Work Order dated 31-08-2015 of Edwin Nunes (Affected party ó 1) and the Show Cause Notice cum Stop Work Order dated 01-10-2015 of Linet Nunes (Affected Party -2).
- Subsequently, an Application bearing No. 06/2016 was filed by Mr. Kashinath Shetye & Ors. before the Honøble National Green Tribunal (NGT), Pune challenging the alleged illegal construction being carried out by Mr. Edwin nunes and Linet nunes in the property bearing Sy. No. 42/9, 42/11 and 42/10 of Village Anjuna, Bardez ó Goa and the alleged inaction on the part of the Respondent authorities against the alleged illegal construction.
- Accordingly, the said matter was disposed of by the Honøble NGT at Pune vide Order dated 18/03/2016 with a direction to GCZMA to hear the concerned parties with an opportunity to produce the documents in support of their case and to dispose of the complaint of the Applicant as expeditiously as possible within a period of four months.
- The matter was placed in the 132<sup>nd</sup> GCZMA meeting held on 06/07/2016 wherein the Authority after detailed discussion and due deliberation decided to conduct re-inspection of the site under reference through its Expert Member of the GCZMA.
- Accordingly, site inspection was conducted by Shri. Ragunath Dhume and Dr. Antonio Mascarenhas on 15/07/2016. The site inspection report submitted by Dr. Antonio Mascarenhas is as follows:
  - The property belong to Mr E Nunes and L Nunes; neither of them was present during the site inspection.
  - The plot is occupied by a G+1 permanent structure, with a cemented plinth, wooden floor; steel pipes are used as columns to support the top floor.
  - The entire structure is used as a restaurant, located along the HTL within the reach of sea waves; the restaurant is found in the No Development Zone (NDZ).
  - In fact, the restaurant extends into the other plot, the owner of which is not known the restaurant is in operation as several people / tourists were present inside.
  - The HTL is marked by a massive cement concrete retaining wall, built in three steps that lead to the sandy beach.
  - Severe erosion was observed along the wall, parts of which are broken due to the heavy wave activity.
  - Although the representative of the owner produced some certificates from the panchayat, the approvals from the GCZMA have never been obtained.
  - Although they claim that the restaurant is a temporary structure, it is fully covered and it ought to have been dismantled during the monsoon. Therefore, this can be classified as a permanent restaurant located right at / along the HTL.

- In view of the above, the commercial activities noted in the NDZ, a sea wall of concrete, and without permissions from the competent authorities are a gross violation of CRZ 2011 rules.

Copy of the site inspection report was annexed with the Agenda Item as **Annexure 'VI'**.

**In view of the above, the matter is placed before the Authority for discussion and decision in the matter.**

The Expert Members who conducted the site inspection stated that the structure under reference standing in the property bearing Sy. No. 42/10 of Anjuna Village cannot be called as a temporary structure and the same is permanent in nature with a cemented plinth, wooden floor; steel pipes used as columns which support the top floor. The Expert Members also brought to the notice of the Authority that though the G+1 Structure is constructed / erected in Sy. No. 42/10 it has been extended in the adjacent plots covering Sy. Nos. 42/9, 11, 45/19 and 45/41. The Google images of 2003 also does not show any structure in the said property existing in 2003. Therefore, it is apparent that said structure is new and has been constructed in violation of CRZ Notification right on the High Tide Line of the sea.

It was further discussed that the onus of proving that the structure existed prior to 1991 is on the Respondent and as it existed in NDZ area the Respondent also needs to give evidence of the existence of the commercial activity in the said structure i.e. Night club, Bar & Restaurant prior to 1991.

The Respondent violator, have provided evidence of existence of structure prior to 1991, however due to counter evidence produced by the Complainant it showed that only a small structure existed in the property but that too was removed and did not exist in the year 2004 when the High Court Order demolition of the structure.

Further, the Respondent is operating commercial activity in the structure and he is required to have Bar license to sell liquor, trade license of Panchayat, Commercial tax registration, Shops and Establishment licence etc. The Respondent should have produced all those licenses / permissions as proof of the existence of the structure prior to 1991. However, the Respondent has not produced any evidence in support of the same.

Also the Respondent is operating a big Night Club, Bar & Restaurant which also has electricity connection which could also have proved its existence prior to 1991. However, the Respondent did not produce any evidence in this regard.

In view of non production of any evidence supporting the existence of commercial activity prior to 1991 in the said structure can safely be drawn as an adverse inference which clearly establishes that the commercial activity of Night club / Bar & Restaurant came into operation in the said structure post 1991 i.e after coming into force of the CRZ Notification, 1991.

**Decision:** After detailed discussion and due deliberation and upon considering the documents and evidence available on record and the site inspection report dated 15/07/2016, the Authority took the following decision:

- 1) To direct the owner / Proprietor, Curlies Bar and Restaurant for closure of the commercial activity carried out by them;
- 2) To issue an Order of demolition under Section 5 of the Environment (Protection) Act, 1986, read with other enabling provisions to the G+1 permanent structure standing in the property bearing Sy. No. 42/10 of Village Anjuna, Bardez ó Goa having further extended in the adjacent plots / properties bearing Sy. Nos. 42/9, 11, 45/19, 45/41 of Village Anjuna with further directions to the violator to restore the land to its original state, failing which the Dy. Collector & SDO, Bardez to demolish the structures and restore the land to its original condition and recover the expenses as arrears of land revenue from the violator;
- 3) To issue Order of withdrawal and disconnection of Power and Water connection as well as license of the Excise Department and also to direct the Village Panchayat of Anjuna to cancel the trade license issued to the violator if any and ensure stoppage of any commercial activity in the illegal structure forthwith.

**Case No. : 2.8:**

**To discuss and decide on the Complaint dated 01/06/2016 received from Mr. Rajeev Lad requesting to demolish illegal shacks and structures built to carry out business in the property bearing Sy. No. 185/21, Morjim Village, Pernem – Goa.**

1. A complaint dated 01/06/2016 has been received from Mr. Rajeev Lad in continuation to his earlier complaint / objections dated 10/12/2015 with regard to construction / erection of illegal shacks and structures built to carry out business by some unknown people in the property bearing Sy. No. 185/21, Morjim Village, Pernem ó Goa.
2. Upon perusal of the office record, it is seen that there no permission has been granted / issued for erection of shacks / temporary structures in the property bearing Sy. No. 185/21, Morjim Village, Pernem ó Goa.

**In this regard, the matter was placed for further course of action in the matter.**

**Decision:** After detailed discussion and due deliberation and in view of the above, the Authority decided to issue Show Cause Notice to the alleged Violator in respect of the erection of illegal shacks and structures standing in the property bearing Sy. No. 185/21, Morjim with a direction to file reply within 7 days time period alongwith relevant documents. The Authority further decided that incase no reply is received within the prescribed time limit to issue an Order of demolition under Section 5 of the Environment (Protection) Act, 1986, read with other enabling provisions to the said shacks / structures erected in the property bearing Sy. No. 185/21, Morjim. The Authority also noted that as the complaint is filed against unknown persons, the Show Cause



## FORM I &amp; XIV

100018021675

Date : 17/10/2023

नमुना नं १ व १४

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Taluka BARDEZ Survey No. 45  
 तालुका  
 Village Anjuna सर्वे नंबर  
 गांव Sub Div. No. 19  
 Name of the Field St. Minguel Wado Sanquachi Aradi हिस्सा नंबर  
 शेताचे नांव Tenure  
 सत्ता प्रकार

Cultivable Area (Ha.Ars.Sq.Mtrs) लागण क्षेत्र (हे. आर. चौ. मी.)

Dry Crop जिरायत	Garden बागायत	Rice तरी	Khajan खाजन	Ker केर	Morad मोरड	Total Cultivable Area एकूण लागण क्षेत्र
0000.00.00	0000.00.56	0000.00.00	0000.00.00	0000.00.00	0000.00.00	0000.00.56

Un-cultivable Area (Ha.Ars.Sq.Mtrs) नापिक क्षेत्र (हे. आर. चौ. मी.)

Pot-Kharab पोट खराब

Remarks शेरा

Class (a) वर्ग (अ)	Class (b) वर्ग (ब)	Total Un-Cultivable Area एकूण नापिक जमीन	Grand Total एकूण
0000.00.69	0000.00.00	0000.00.69	0000.01.25

Order no.16/28/2011/Resurey dated 24/05/2011  
 and corrigendum dated 23/01/2013 of the Dy. Col.  
 And SDO Mapusa Goa and Area Adjustment

Assessment : आकार	Rs. 0.00	Foro फोर	Rs. 0.00	Predial Statement प्रेडियल	Rs. 0.00	Rent रेण्ट	Rs. 0.00
				no.9/ISLR/MAP/RESURVEY/LA/18/08/13			

S.No.	Name of the Occupant कब्जेदाराचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	AnJelina Nunes		255	
2	Matins Nunes		1433	
3	Edwin Nunes		34812	
4	Linet Nunes alias Linet Lobo		34812	

S.No.	Name of the Tenant कुळाचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	-----Nil-----			

Other Rights इतर हक्क	Mutation No. फेरफार नं	Remarks शेरा
Name of Person holding rights and nature of rights: इतर हक्क धारण करणा-याचे नांव व हक्क प्रकार -----Nil-----		

## Details of Cropped Area पिकाखालील क्षेत्राचा तापशील

Year वर्ष	Name of the Cultivator लागण करणा-याचे नांव	Mode रीत	Season मौसम	Name of Crop पिकाचे नांव	Irrigated बागायत	Unirrigated जिरायत	Land not Available for Cultivation नापिक जमीन		Source of irrigation सिंचनाचा प्रारि	Remarks शेरा
					Ha.Ars.Sq.Mts हे. आर. चौ. मी.	Ha.Ars.Sq.Mts हे. आर. चौ. मी.	Nature प्रकार	Area क्षेत्र Ha.Ars.Sq.Mts हे. आर. चौ. मी.		
	-----Nil-----									

End of Report

For any further inquires, please contact the Mamlatdar of the concerned Taluka.

-- TRUE COPY --

**TECHNICAL REPORT OF THE PROJECT**  
**ON**  
**CONSULTANCY SERVICES AND TO CONDUCT**  
**SURVEY AND INQUIRY IN CRZ-III OF GOA COAST**

2008



BY

**RSI** REMOTE SENSING INSTRUMENTS, HYDERABAD

## INTRODUCTION

Coastal systems are very fragile ecosystems which include ecologically sensitive features like mangroves, sand dunes and spawning ground of marine life, corals, wetland, marsh, swamp, bays, estuaries, creeks, bunds and backwater that are influenced by tidal action.

Mangroves and coral reefs act as a buffer zone against wave and tidal force for stabilizing and safe guarding the coast. Sand dunes are a sign of ecological equilibrium between powerful physical forces of the ocean and act as first line of defense to prevent monsoon storm, waves and cyclonic surges.

Rapidly increasing human population and industrial development along the coast have resulted in the degradation of coastal ecosystems. Expressing her serious concern Smt. Indira Gandhi, former Prime Minister has in a letter in 1981, to the Chief Ministers of all the coastal states directed that the beaches, because of their esthetic and environment value, have to be kept clear of all activities upto 500 meters from the highest water line.

Subsequently, Ministry of Environment and Forest, Government of India enacted the Coastal Regulation Zone (CRZ) notification issued under Environment Protection Act of 1986, which was notified through Gazette in 1991. Through this act, the coastal stretches of seas, bays, estuaries, creeks, rivers and back waters which are influenced by tidal action (in the landward side) upto 500 meters from the High Tide Line (HTL) and the land between Low Tide Line (LTL) and the HTL are declared as coastal regulation zone and imposed restrictions on setting up and expansion of Industries, operations or processes etc in the said Coastal Regulation Zone (CRZ). For the purposes of the notification the High Tide Line

means the line on the land upto which the highest waterline reaches during the spring tide. The notification also stipulates that High Tide Line shall be

demarcated uniformly in all parts of the Country by the demarcating authority or authorities so authorized by the Central Government in accordance with the general guide lines issued in this regards.

In the case of rivers, creeks and backwaters, the distance from HTL shall apply to either sides upto 100m or width of the river, creek or backwater, whichever is less. The point upto which the development is to be regulated along the rivers, creeks and backwaters shall be governed by the distance upto which the tidal effect of sea is experienced by them.

## **1.2 CLASSIFICATION OF COASTAL REGULATION ZONE AND DEVELOPMENT REGULATION:**

For regulating development activities, the coastal stretches within 500 meters of HTL on the landward side are classified into four categories namely:

### **Category – I (CRZ – I):**

Areas that are ecologically sensitive and important, such as national parks / marine parks, sanctuaries, reserve forests, wildlife habitats, mangroves, corals / coral reefs, areas close to breeding and spawning grounds of fish and other marine life, areas of outstanding natural beauty / historically heritage areas, areas rich in genetic diversity, areas likely to be inundated due to rise in sea level consequent upon global warming and such other areas as may be declared by the Central Government or the concerned authorities at the State / Union Territory level from time to time.

Area between Low Tide Line (LTL) and the High Tide Line (HTL).

### **Category – II (CRZ – II):**

The areas that have already been developed upto or close to the shoreline. For this purpose, “developed area” is referred to as that area within the municipal limits or in other legally designated urban areas which is already substantially

built up and which has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.

**Category – III (CRZ – III):**

Areas that are relatively undisturbed and those which do not belong to either Category – I or II. These will include coastal zone in the rural areas (developed and undeveloped) and also areas within Municipal limits or in other legally designated urban areas which are not substantially built up.

**Category – IV (CRZ – IV):**

Coastal stretches in the Andaman & Nicobar, Lakshadweep and small islands, except those designated as CRZ – I, CRZ – II or CRZ – III.

**Norms for Regulation of Activities:**

Development or construction activities in different categories of CRZ area shall be regulated by the concerned authorities at the State / Union Territory level, in accordance with the following norms.

**CRZ – I:**

No new construction shall be permitted in CRZ-I except

- (a) projects relating to Department of Atomic Energy and
- (b) Pipelines, conveying systems including transmission lines and
- (c) Facilities that are essential for activities permissible under CRZ-I.

Between the LTL and the HTL, activities as specified under paragraph (xii) may be permitted. In addition, between LTL and HTL in areas which are not ecologically sensitive and important, the following may be permitted: a) Exploration and extraction of Oil and Natural Gas b) Activities as specified under proviso of sub-paragraph (ii) of paragraph 2 and (c) construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants of the

Sunderbans Bio-sphere reserve area, West Bengal, on a case to case basis, by the West Bengal State Coastal Zone Management Authority.

**CRZ – II:**

- i) Buildings shall be permitted only on the landward side of the existing road (or roads approved in the Coastal Zone Management Plan of the area) or on the landward side of existing authorized structures. Buildings permitted on the landward side of the existing and proposed roads / existing authorized structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of Floor Space Index / Floor Area Ratio:  
Provided that no permission for construction of buildings shall be given on landward side of any new roads (except roads approved in the Coastal Zone Management Plan) which are constructed on the seaward side of an existing road.
- ii) Reconstruction of the authorized buildings to be permitted subject to the existing FSI / FAR norms and without change in the existing use.
- iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

**CRZ – III:**

- i) The area upto 200metres from the High Tide Line (HTL) is to be earmarked as 'No Development Zone'. No construction shall be permitted within this zone except for repairs of existing authorized structures not exceeding existing FSI, existing plinth area and existing density, and for permissible activities under the notification including facilities essential for such activities. An authority designated by the State Government / Union Territory Administration may permit construction of facilities for water supply, drainage and sewerage for requirements of local inhabitants. However, the following uses may be

permissible in this zone – agriculture, horticulture, gardens, pastures, parks, play fields, forestry and salt manufacture from sea water.

- ii) Development of vacant plots between 200 and 500 meters of High Tide Line in designated areas of CRZ-III with prior approval of Ministry of Environment and Forests (MEF) permitted for construction of hotels / beach resorts for temporary occupation of tourists / visitors subject to the conditions as stipulated in the guidelines at **Annexure – II**.
- iii) Construction / reconstruction of dwelling units between 200 and 500 meters of the High Tide Line (HTL) permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gaothans. Building permission for such construction / reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units; total covered area on all floors shall not exceed 33 percent of the plot size; the overall height of construction shall not exceed 9 meters and construction shall not be more than 2 floors ground floor plus one floor. Construction is allowed for permissible activities under the notification including facilities essential for such activities. An authority designated by State Government / Union Territory Administration may permit construction of public rains shelters, community toilets, water supply, drainage, sewerage, roads and bridges. The said authority may also permit construction of schools and dispensaries, for local inhabitants of the area, for those panchayats the major part of which falls within CRZ if no other area is available for construction of such facilities.
- iv) Reconstruction / alterations of an existing authorized building permitted subject to (i) to (iii) above.

### **1.3 COASTAL ECOSYSTEM OF GOA:**

The coastal zone of Goa is characterized by sandy stretches and an intricate network of water bodies across lowlands. The sea front is marked by a combination of beaches, rocky shores and headlands. Out of 105km long coast, more than 70km comprise linear and wide sandy beaches all backed by 1 to 10 meters high dunes; sandy pockets and secluded coves backed by rocky cliff are also found (Mascarenhas). The coastal plain, 20 to 35km in width, consists of lowlands traversed by seven major and four minor river systems that experience tides. Small islands, shoals and mangrove swamps are observed within water bodies.

In accordance with Coastal Regulation Zone (CRZ) act 1991 stipulations, Goa State Committee for Coastal Environment (GSCCE) was assigned the job of preparation of Coastal Zone Management plans classifying coastal stretches as CRZs. The plans prepared were approved by the MOEF in September 1996, after incorporating the information on delineation of eco-sensitive areas along the coastal stretches of Goa generated by National Institute of Oceanography (NIO). This is the prevailing law that governs development activities along the coasts, rivers and back waters of Goa. It was amended twice in January and July, 1997 respectively.

Sand dune ecosystems are ecologically sensitive and geomorphologically fragile systems. They are vulnerable to stress and acts as nature's first line of defense against oceanic forces. Sand dunes were not mentioned in the notification. They were included in CRZ-I after the NIO have requested the MOEF for the same.

Goa Coast Line remained pristine till early 1970's. Human pressure on the coastal ecosystem started in the 1970s when tourism became a major source of revenue. This resulted in 80% of the urban growth being located along the coastal taluks. There has been a proliferation of hotels, resorts, residential flats, dwellings, small restaurants, beach side bars, roads and beach shacks along the coast. This has resulted in dense population, deterioration of the quality of life, loss of biodiversity and adverse effects on beaches, dunes mangroves, water bodies and 'Khazan lands' – (reclaimed lowlands).

The main purpose CRZ notification was to control and minimize environmental damage to coastal ecosystem. The Goa State Committee for coastal environment was empowered to enforce the provision of the notification. Despite this, blatant violation of CRZ provision through anthropogenic activities have resulted in severe negative impacts on coastal ecosystem like rapid elimination of sand dunes, damage to dune vegetation, increasing mobility of sand, transport of sand islands, instability of dunes, denudation of hill slopes, deposition of sediments into estuaries, progressive built up of plastic litter, reduction in mangroves, wetlands and breeding grounds of marine life, localized shore line erosion and seasonal salt water ingress.

Courts have intervened in coastal matters following complaints and petitions from citizens and NGO's. Timely judicial intervention has, to some extent, preserved the sanctity of the coastal zones.

#### **1.4 BACKGROUND FOR THE PROJECT:**

The Hon'ble High Court of Bombay at Goa, vide judgment in Writ Petition nos... 422/98 & 99/99 has issued directions to the Government of Goa through its Chief Secretary, respondent no. 3 and Chief Town Planner, Town & Country Planning Department (TCP), Government of Goa, respondent no. 4 to comply

with the following directions as regards to the Coastal Regulation Zone-III is concerned in the State of Goa.

The synopses of the said judgment are:

- To conduct survey and inquiry as regards the number of dwelling units and all other structures and constructions which were existing in the CRZ-III zone in Goa, village or town wise as on 19<sup>th</sup> February 1991 and increase in number thereof thereafter, year wise
- To identify on the basis of permissions granted for construction of the dwelling unit, which are in excess of double the units with regard to those, which existed on 19<sup>th</sup> February 1991.
- To identify all types of structures and constructions made in CRZ III zone except the dwelling units, after 19<sup>th</sup> February, 1991 in the locality comprised of the dwelling units and to take action against the same for their demolition in accordance with the provisions of the law.
- To identify the open plots in CRZ – III zone which are available for construction of hotels and to frame appropriate policy / regulation for utilization thereof before they are being allowed to be utilized for such construction activities.
- Till and until the survey and inquiry is completed as directed above no new license for any type of construction in CRZ III zone shall be issued or granted and no new structure of whatsoever nature shall be allowed to be constructed in CRZ-III zone except repairs and renovation of the existing houses which shall be subject to the appropriate order on completion and result of the survey and inquiry to be held as directed above and this should be specifically stated in the licenses to be granted for the purpose of repairs and / or renovation of existing houses.

CONSULTANCY SERVICES AND TO CONDUCT SURVEY  
AND INQUIRY OF CRZ AREAS IN GOA

- The survey and inquiry should be conducted as expeditiously as possible and should be concluded preferably within a period of six months and in any case by 30<sup>th</sup> May, 2007 and report in that regard should be placed before the court in the first week after the summer vacation of 2007, for necessary further order, if any.
- All the records relating to the survey and the inquiry should be made available to the public and in that regard a website should be opened and the entire material should be displayed on the website (respondent no. 3)

In order to comply with the High Court directive, the Goa Coastal Zone Management Authority (GCZMA) desired to outsource the work to qualified Consultants / Agency.

GCZMA has accordingly circulated the Terms of Reference (ToR) and Request for Proposal (RFP) indicating the Scope of Work to firms who expressed interest in doing the work and asked for tender proposals.

After technical evaluation of the tender proposals by a high level committee headed by the Chief Secretary, M/s Remote Sensing Instruments (RSI), Hyderabad was selected for the job and a Letter of Intent (LoI) was issued to them to undertake “turn key” job, using appropriate methodology, latest technology approach and credible data for generating a spatial and non-spatial database for the CRZ area, for the entire coastal stretch in the first phase. In addition, in the second phase, the database shall also be developed for the rivers, creeks and backwaters (governed by the distance upto which the tidal affect of sea is experienced) in the State of Goa, as the case may be and as recorded in the Goa Coastal Zone Management Plan issued by the MoEF vide no. J-17011/12/92-1A-III dated: 27<sup>th</sup> September, 1996.

The components of the spatial and non-spatial database should be synergized and integrated in a user-friendly GIS environment, with capability of updation. Further more, the database shall be efficient so that the user can obtain information at a click on a button through a quick, efficient and accurate retrieval system, developed and customized for the purpose. The data sought shall be at different levels such as, State, District and Taluk. Revenue village (ward/vaddo), Municipal (Block-Towns) areas and the following information is required to be provided.

- Number of structures, type of structures / dwelling units (defined as a family residential house) existing as on 19<sup>th</sup> February, 1991.
- Survey numbers of each structure / dwelling unit in no development zone and CRZ areas as on the date of survey of the coast and the rivers / estuaries.
- Number of dwelling units in a given survey number
- Number of structures other than dwelling units as on 19/02/1991
- Number of increase in structures / dwelling units year wise, after 19/02/1991, till 13/10/2006
- Nature of the structures / dwelling units, resorts, commercial establishments, religious places, etc, with detailed survey numbers with the use of the structures
- Areas, which are ecologically sensitive such as mangroves, corals / coral reefs, sand dunes, sanctuaries, areas of breeding grounds of marine life etc.

#### **1.5 SCOPE OF WORK:**

1. Generating a spatial and non-spatial database for the CRZ-III area for the entire coastal stretch in the first phase and for the rivers, creeks and backwaters in the second phase using appropriate methodology, latest technology approach and credible data.

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2. Integration of spatial and non-spatial databases in a user friendly GIS environment with capability of updation and accurate retrieval system at State, District, Taluk, Revenue village (ward / vaddo), Municipal (Block – Towns ) levels through customized software
3. Provision of the following information:
  - a) Number of structures, type of structures / dwelling units (defined as a family residential house) existing as on 19<sup>th</sup> February, 1991.
  - b) Survey numbers of each structure / dwelling unit in no development zone and CRZ areas as on the date of survey of the coast and the rivers / estuaries.
  - c) Number of dwelling units in a given survey number
  - d) Number of structures other than dwelling units as on 19/02/1991.
  - e) Number of increase in structures / dwelling units year wise after 19/02/1991, till 13/10/2006
  - f) Nature of the structures / dwelling units, resorts, commercial establishments, religious places, etc with detailed survey numbers with the use of the structures. Areas, which are ecologically sensitive such as mangroves, corals / coral reefs, sand dunes, sanctuaries, areas of breeding grounds of marine life etc.
4. Mapping and quantification of the temporal variations / changes in dwelling units / structures from 1991 and calendar year there after upto 13/10/2006.
5. Collection of following attribute information for dwelling units / structure
  - Year of construction
  - License for repairs and renovation if old structure (1991)
  - Plot size
  - Area of structure (Plinth area and appropriate floor area)

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- Nature of structure: House, bungalow, row houses (single, double floor etc.) & Commercial complex, religious, school, industry, etc
- Owner of the dwelling unit / plot / structure
- House number and tax receipts paid
- Details of permissions / approvals granted by Village Panchayat / Municipal authorities & Town and Country Planning / PDA's
- Documents related to issue of Sanads and Change of land use / zone
- Appropriateness of the structure in relation to the purpose and use / activity approved.
- Details of approvals issued for construction / renovation / repairs subsequent to the issue of directives by the Hon'ble High Court
- Details of approvals confirming to the development controls viz the zoning regulations and the building by-laws as per the approving authority / plan: eg outline development plan, regional plan, CZM plan or any other plan in force in the said area
- Miscellaneous
- Existence of compound wall and type of wall
- Open / bore / tube well existence

### 1.6 DELIVERABLES:

A comprehensive digital GIS database on 1:1000 / 1:500 or detailed expression scale maps, linked to attribute information in respect of every unit / structure mapped / recorded.

- Digital map containing the CRZ – III line including the High Tide Line, 200m and 500m corridors
- The digital map of NDZ along the bank of the rivers / estuaries, creek and backwaters – governed by the distance up to which the tidal affect of sea is experienced

CONSULTANCY SERVICES AND TO CONDUCT SURVEY  
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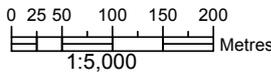
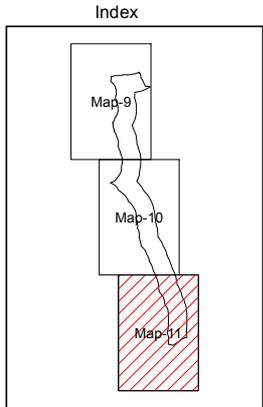
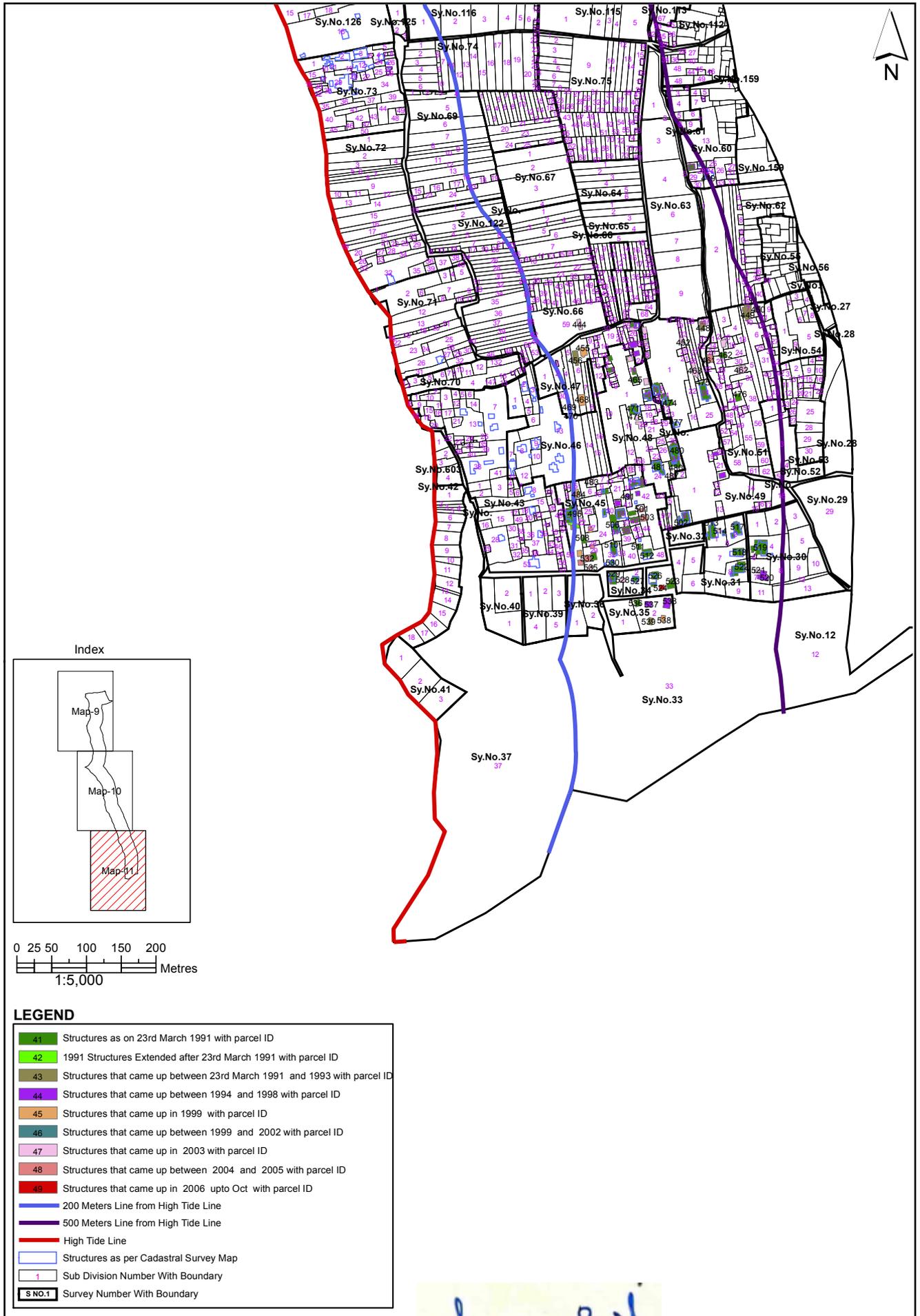
- Digital map containing all base map features including transport networks (road / rail), man made built up structures, drainage and water bodies and different administrative boundaries eg. State, District, Taluka, Revenue village, Municipality etc natural / watershed boundaries
- Digital map of dwelling units / structures and other constructions mapped indicating the building use, corresponding to the year of construction / approval, from 1991 and calendar year thereof.
- Digital map of dwelling units / structures and other constructions mapped, indicating the building use corresponding to whether approved, unauthorized or documents not available
- Digital information map of open plots / spaces
- Data analysis of maps derived from the GIS database
- Digital Geo-referenced cadastral map containing village and parcel boundaries
- Geo-referenced satellite remote sensing data / any other data used in mapping with the CRZ vectors superimposed
- The hosted web page shall be accessible to general public. However classified information (as directed by the State Government) shall not be hosted
  
- The database should preferably be compatible with the existing hard ware, including drivers available with the GoG (as available with DSLR / TCP)

Geo-referenced temporal satellite data with CRZ vectors superimposed will be generated as outputs.

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Salcet	MAJORDA	Map-30
Salcet	GONSUA	Map-31
Salcet	BETALBATIM	Map-32
Salcet	COLVA	Map-33
Salcet	SERNABATIM	Map-34
Salcet	BENAU LIM	Map-35, 36
Salcet	VARCA	Map-37, 39
Salcet	CAVELOSSIM	Map-40, 41, 42, 43
Quipem	QUITAL	Map-44, 45
Canacona	NAQURIM	Map-46
Canacona	COLA	Map-47, 48, 49, 50, 51, 52, 53, 54
Canacona	AGONDA	Map-55,56, 57, 58
Canacona	NAGORCEMPALOLEM	Map-59, 60, 61, 62
Canacona	POINGUNIM	Map-63, 64
Canacona	LOLIEM	Map-65, 66, 67, 68, 69,70

STRUCTURES IN CRZ - III (200M TO 500 M FROM H T L) Anjuna VILLAGE



**LEGEND**

41	Structures as on 23rd March 1991 with parcel ID
42	1991 Structures Extended after 23rd March 1991 with parcel ID
43	Structures that came up between 23rd March 1991 and 1993 with parcel ID
44	Structures that came up between 1994 and 1998 with parcel ID
45	Structures that came up in 1999 with parcel ID
46	Structures that came up between 1999 and 2002 with parcel ID
47	Structures that came up in 2003 with parcel ID
48	Structures that came up between 2004 and 2005 with parcel ID
49	Structures that came up in 2006 upto Oct with parcel ID
—	200 Meters Line from High Tide Line
—	500 Meters Line from High Tide Line
—	High Tide Line
□	Structures as per Cadastral Survey Map
1	Sub Division Number With Boundary
S.No.1	Survey Number With Boundary

*Jagney Sain*

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Aagney Sail &lt;aagneysail@gmail.com&gt;

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## Appeal No. 48/2016 (WZ) - Mrs. Linet Nunes Vs Goa Coastal Zone Management Authority & Ors. - Reply of Respondent No. 7 to Appeal

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**Aagney Sail** <aagneysail@gmail.com> Tue, Oct 17, 2023 at 10:03 AM  
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Please find attached the reply of Respondent No. 7 to the Appeal along with its Annexures. Please Confirm receipt.

Thanks

Adv. Aagney Sail,  
Mobile: +91.9810076618



**Reply Final.pdf**  
9121K

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